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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 JOSE RODRIGUEZ,

5 Plaintiff

Case No. 2:19-cv-01644-KJD-NJK

ORDER

6 v.

7 MICHAEL NIEVES, et al.,

8 Defendants
9

10 **I. DISCUSSION**

11 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections
12 (“NDOC”), has submitted a civil rights complaint under 42 U.S.C. § 1983. Docket No. 1-1.
13 Plaintiff has neither paid the full filing fee for this matter nor filed an application to proceed *in*
14 *forma pauperis*.

15 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an
16 application to proceed *in forma pauperis* and attach both an inmate account statement for the past
17 six months and a properly executed financial certificate. The Court will retain Plaintiff’s civil
18 rights complaint, Docket No. 1-1, but will not file it until the matter of the payment of the filing
19 fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma*
20 *pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an
21 application to proceed *in forma pauperis* he must file a fully complete application to proceed *in*
22 *forma pauperis*, including both an inmate account statement for the past six months and a properly
23 executed financial certificate.

24 **II. CONCLUSION**

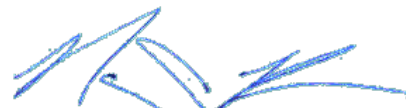
25 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND
26 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the
27 document entitled information and instructions for filing an *in forma pauperis* application.
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1 IT IS FURTHER ORDERED that, no later than **October 21, 2019**, Plaintiff must either:
2 (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with
3 complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400
4 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

5 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
6 dismissal of this action may result.

7 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint, Docket
8 No. 1-1, but will not file it at this time.

9 DATED this 20th day of September, 2019.

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13 NANCY J. KOPPE
14 UNITED STATES MAGISTRATE JUDGE
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